

Greenfield City Council
August 18, 2021
220th Regular Meeting
6:30 p.m.
Webex Conferencing System

To join via computer:

<https://greenfieldma.my.webex.com/greenfieldma.my/j.php?MTID=mcbd7cd1937a0cd4045f427d1e19c829e>

To join via phone:

+1-408-418-9388 United States Toll
Access code: 132 508 7406

AGENDA

1. Call to Order -

CHAIRS STATEMENT: This meeting is being recorded and videotaped by the City Council and GCTV-15. If any other persons present are doing the same you must notify the chairperson at this time.

2. Roll Call of Members

3. Pledge of Allegiance (voluntary)

4. Approve the July 21, 2021 City Council meeting minutes **(Pg. 3)**

5. Communications from Superintendent of Schools and School Committee

6. Communications from Mayor, City Officers and Employees

7. Communications from other City Employees as needed, by invitation

8. Public Comment

9. Public Hearing(s) and Second Reading(s): None

10. Motions, Orders, and Resolutions

- I. Take from the Table FY22-001 – Authorize Sale of 382 Deerfield Street (GMTA). **(Pg. 13)**
- II. Pan Am Railways Consecutive Water District Agreement. **(Pg. 14)**
- III. Mayor's Appointments – Susan White, Public Safety Commission; Ellie Mandell, Crossroads Cultural District Committee. **(Pg. 20)**
- IV. November 3, 2021 Ballot Question for Article 7: Elections; Election Related Matters, Section 7-8: Citizen Referendum Procedures. **(Pg. 27)**

- V. Amend City Charter Article 1: Incorporation; Short Title: Definitions, Section 7 -1: Definitions, Subsection (o): Voters. **(Pg. 28)**
- VI. Amend City Charter Article 2: Legislative Branch, Section 2-1: Composition, Subsection (b): Term of Office. **(Pg. 29)**
- VII. Amend City Charter Article 2: Legislative Branch, Section 2-1: Composition, Subsection (c): Eligibility. **(Pg. 30)**
- VIII. Amend City Charter Article 2: Legislative Branch, Section 2-2: Council President, Subsection (a): Election and Term. **(Pg. 31)**
- IX. Amend City Charter Article 2: Legislative Branch, Section 2-2: Councilor President, Subsection (c): Council Vice President **(Pg. 32)**
- X. Amend City Charter Article 2: Legislative Branch, Section 2-6: Exercise of Powers; Quorum; Rules, Subsection (c) (2): Rules of Procedure; Special Meetings of the City Council. **(Pg. 34)**
- 11. Presentation of Petitions and Similar Papers
- 12. Report of Committees
- 13. Unfinished Business
- 14. Old Business
- 15. New Business
First Reading **(Pg. 35)**
 - Transfer \$10,000 from Reserve Fund to DPW Parks Swim Area Materials to Cover Expenses of the Flooding at the Nash Mill Road recreation area.
- Notice of Zoning Amendment Proposals **(Pg. 38)**
 - Amend Zoning Map for the Property located at 28-34 Colorado Avenue (MP R42-4-0).
 - Amendments to Chapter 200: Zoning, Section 7.17: Marijuana Establishments.
- 16. Motions for Reconsideration
- 17. Adjournment

EXECUTIVE SESSION MAY BE CALLED

****Please note that the list of topics was comprehensive at the time of posting, however, the public body may consider and take action on unforeseen matters not specifically named in this notice. Posted in accordance with M.G.L.c 30A § 18-25.***

GREENFIELD CITY COUNCIL

Regular Meeting Minutes

July 21, 2021

Webex Conferencing System

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:05 p.m. by President Ricketts.

CHAIRS STATEMENT: This meeting is being recorded and videotaped by the City Council and GCTV-15. If any other persons present are doing the same you must notify the chairperson at this time.

ROLL CALL OF MEMBERS: All Councilors were present. (Councilor Stempel-Rae logged into meeting at 7:18 pm)

ALSO PRESENT: Mayor Roxann Wedegartner; City Clerk Kathryn J. Scott; Finance Director/City Auditor/City Accountant Elizabeth Gilman; School Committee Chairperson Amy Proietti; DPW Director Marlo Warner; Community & Economic Development Director MJ Adams; Energy Director Carole Collins; IT Director Fernando Fleury; GCTV-15 Executive Director Nick Ring; Parliamentarian Will Roberts; GCTV-15 staff; Melina Bourdeau, *the Recorder*; and members of the public.

The Pledge of Allegiance was held.

ACCEPTANCE OF MINUTES: On a motion by Councilor Guin, second by Councilor Jarvis, **MOVED:** TO ACCEPT THE CITY COUNCIL MINUTES OF JUNE 17 & JUNE 23, 2021.

Without objection, Councilor Elmer requested the following amendment to page 6 of the June 23, 2021, minutes to reflect the following as voiced by Councilor Mayo “suggested the property should be used exclusively for low income housing.”

It was by roll call, 12 yes, 0 no,

VOTED: TO ACCEPT THE CITY COUNCIL MINUTES OF JUNE 17 & JUNE 23, 2021, AS AMENDED.

COMMUNICATIONS:

SCHOOL SUPERINTENDENT AND SCHOOL COMMITTEE: School Committee Chairperson Amy Proietti reported the following:

- The position of Superintendent of Schools had been offered to and accepted by Dr. Christine DeBarge, who was the former Superintendent of Schools in East Windsor, Connecticut. She was expected to begin on August 23, 2021.

Councilors asked the following questions:

- What time frame in terms of years would the new Superintendent’s contract cover.

MAYOR, CITY OFFICERS AND EMPLOYEES: Mayor Wedegartner reported the following:

- The public swimming pool had sustained flood damage due to the amount of rain Greenfield received. The City was working with MIIA (Massachusetts Interlocal Insurance Association), as well as FEMA, to repair the damage. There was no time frame when the pool would be opened.

Councilors asked the following questions:

- Was Nash’s Mill road closed as well due to flood damage or was the pool only affected.
- Proposed plans for the use of ARPA (American Rescue Plan Act) funds.

- Process for the change to the Court Square area and if any effective parties were notified of this change.
- Sanitation upkeep of the parking garage.
- Cost to repair damage to the parking garage elevator.
- Notification of construction on certain streets and where parking would be available on that street.
- Placement of “radar” speed limit signs on additional streets to control speeding.
- Forward plans for the Court Square area to the Commission on Disability Access.
- Montague’s role in the sale of the 382 Deerfield Street (Greenfield Montague Transportation Area).
- Had Montague’s Board of Selectmen voted on the sale of the GMTA property.
- The environmental inspections for the locations of the new Library and Fire Station.
- Addressing the concerns of constituents.

Councilor Dolan made a point of order that Councilors were engaging with the Mayor on issues that were not on tonight’s agenda and there are issues on the agenda that were waiting to be addressed. President Ricketts noted that if Councilor’s had further questions for the Mayor they could forward them to the Clerk’s office for distribution.

OTHER CITY EMPLOYEES AS NEEDED, BY INVITATION: IT Director Fleury and Executive Director of GCTV-15 Nick Ring presented information in regards to the possibility of remote participation and the advent of “hybrid” meetings. Points included:

- The cost to accommodate a remote participation or “hybrid meeting”, including upgrades and equipment could amount to \$22 - \$23 thousand dollars.
- Due to the increased demand for virtual meeting equipment a time frame could not be established as to when the City could obtain the necessary amenities.
- It was recommended that the City change from using the Webex Conferencing System to Zoom in order to be consistent with a “Zoom Room” that was currently being established in the City Hall meeting room.
- GCTV-15 would need to find ways to be upgraded with equipment that could broadcast a meeting with both in person and virtual attendance.

Councilors asked the following questions:

- Ability of residents to participate in a hybrid meeting environment.
- The use of MEMA (Massachusetts Emergency Management Agency) funds to properly equip the John Zon Community Center to hold hybrid meetings.

PUBLIC COMMENT: The following members of the public spoke:

- David Lewis, High Street, spoke to the removal of the barriers from the Court Square area and the loss of parking spaces around the City Hall and Common.
- Pamela Goodwin, High Street, spoke to her support to the establishment of hybrid meetings. She also expressed her dismay at the parking and walking difficulties in downtown Greenfield and the treatment of the homeless.
- Susan Worgaftik, Forest Avenue, spoke to her opposition for City Council meetings beginning earlier. She supported the use of hybrid meetings.
- Rachel Gordon, Eastern Avenue, spoke to her opposition for City Council meetings beginning earlier. She supported the use of hybrid meetings.
- Kathrine Golub, Glenbrook Drive, spoke to her opposition for City Council meetings beginning earlier. She supported the use of hybrid meetings.
- Ellen Thomas, High Street, wanted to remind the public servants that there was no statute of limitations under common law for fraud and theft.

- Dawn Morin, Hope Street, spoke to her disappointment in the Mayor and Council for their performance to keep checks and balances on City spending. She also suggested that the Council had the ability to have meetings to allow residents to appear remotely and the Council could appear in person.
- Verne Sund, Barton Road, spoke to his disappointment in the Mayor and Council's work performance in regards to City spending.

PUBLIC HEARINGS: Councilor Forgey read the following public hearing notice and second reading at 9:42 pm. She noted that the meeting was being conducted through the Webex Conferencing System:

PUBLIC HEARING

In accordance with Home Rule Charter, the Greenfield City Council will hold a public hearing on Wed., July 21, 2021, at 7:00 p.m. at John Zon Community Center, 35 Pleasant St., to receive public input on the following:

- Repurpose \$20,431.92 from Previous Authorization FY19-122 from the Repair of Green River Road to Paving Mackin Avenue.

The City Council may consider the same on Wed., July 21, 2021, at 7:00 p.m. at John Zon Community Center, 35 Pleasant St. Materials can be obtained from the City Clerk's Office, 14 Court Sq. from 8:30 a.m.-5:00 p.m., Mon. - Fri. or phone 413-772-1555, x. 6163.

Penny Ricketts, Greenfield City Council President

City Council – Second Reading- July 21, 2021

- Repurpose \$20,431.92 from Previous Authorization FY19-122 from the Repair of Green River Road to Paving Mackin Avenue.

President Ricketts opened the public hearing at 9:43 pm. She asked if anyone from the public wished to speak on this issue. Seeing none, President Ricketts closed the public hearing at 9:44 pm.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 22-007

MOTION: On a motion by Councilor Forgey, second by Councilor Jarvis, it was,

MOVED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL VOTES TO AMEND THE CITY COUNCIL RULES OF PROCEDURE §565-2, RULE 2, MEETINGS, SECTION A: REGULAR MEETINGS, BY DELETING "7:00 P.M.", AND INSERTING IN ITS PLACE "6:00 P.M."

DISCUSSION: Due to work schedules and other family responsibilities, some Councilors would have difficulty appearing at City Council meetings in a timely manner.

MOTION: On a motion by Councilor Mayo, second by Councilor Dolan, it was by roll call, 6 yes, 7 no,
DEFEATED: TO CALL THE QUESTION.

Order No. FY22-007 was still on the floor.

MOTION: On a motion by Councilor Stempel-Rae, second by Councilor Guin, it was,
MOVED: TO AMEND MOTION BY REPLACING "6:00 P.M." WITH "6:30 P.M."

MOTION: On a motion by Councilor Stempel-Rae, second by Councilor Bottomley, it was,
MOVED: TO CALL THE QUESTION.

It was by roll call, 13 yes, 0 no,
VOTED: TO CALL THE QUESTION.

Amendment to Order No. FY22-007 was on the floor for a vote.

It was by roll call, 13 yes, 0 no,
VOTED: TO ACCEPT AMENDMENT.

Order No. FY22-007, as amended, was now on the floor.

It was by roll call, 12 yes, 1 no,
VOTED: TO APPROVE ORDER NO. FY22-007, AS AMENDED: THAT IT BE ORDERED THAT THE GREENFIELD CITY COUNCIL VOTES TO AMEND THE CITY COUNCIL RULES OF PROCEDURE §565-2, RULE 2, MEETINGS, SECTION A: REGULAR MEETINGS, BY DELETING “7:00 P.M.”, AND INSERTING IN ITS PLACE “~~6:00 P.M.~~” “6:30 P.M.”

Order no. FY 22-005

MOTION: On a motion by Councilor Elmer, second by Councilor Desorgher, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, ACCEPT THE PACE ACT AS DEFINED UNDER M.G.L. C 23M, TO SEE IF THE CITY OF GREENFIELD WILL ACCEPT THE PROVISIONS OF CHAPTER 23M OF THE MASSACHUSETTS GENERAL LAWS ALLOWING THE CITY TO PARTICIPATE IN THE PACE ACT OF MASSACHUSETTS AS SET FORTH IN THE ATTACHED ORDINANCE. (SEE ATTACHED EXHIBIT A)

Ordinance Authorizing the City known as the Town of Greenfield to Participate in the Massachusetts
Commercial Property Assessed Clean Energy Program
(PACE Massachusetts)

WHEREAS, pursuant to M.G.L. c. 23M (the "PACE Act"), the Commonwealth has established a commercial sustainable energy program known as the Massachusetts Property Assessed Clean Energy Program ("PACE Massachusetts") to provide a financing mechanism ("PACE financing") to private owners of commercial and industrial properties for certain qualifying commercial energy improvements ("improvements"); and

WHEREAS, pursuant to the PACE Act, PACE Massachusetts is administered by the Massachusetts Development Finance Agency ("MassDevelopment"), in consultation with the Massachusetts Department of Energy Resources; and

WHEREAS, under PACE Massachusetts, the owner of the commercial or industrial property benefitting from the improvements (the "benefitted property") is required to repay the PACE financing through the payment of a betterment assessment (a "PACE betterment assessment") placed on such benefitted property by the municipality in which the benefitted property is located; and

WHEREAS, in order for an owner of commercial or industrial property to participate in PACE Massachusetts, Section 2 of the PACE Act requires that the municipality in which such property is located must elect to participate in PACE Massachusetts; and

WHEREAS, the City known as the Town of Greenfield (the "Municipality") has determined that it is in the best interest of the Municipality to participate in PACE Massachusetts as a "participating municipality," as provided in the PACE Act, to permit the owners of commercial and industrial properties located in the Municipality to access PACE financing for qualifying commercial energy improvements through PACE Massachusetts;

WHEREAS, NOW THEREFORE, BE IT ORDERED, as follows:

The City known as the Town of Greenfield with the approval of the Town Council of the City known as the Town of Greenfield hereby approves the Municipality participating in PACE Massachusetts pursuant to the PACE Act, and authorizes the Mayor to enter into a PACE Massachusetts Municipal Assessment and Assignment Agreement (the "Agreement") with MassDevelopment, pursuant to which the Municipality will agree to (i) levy PACE betterment assessments and impose PACE betterment assessment liens on benefitted properties located in the Municipality, in the amounts determined by MassDevelopment to be sufficient to repay the PACE financing, (ii) assign the PACE betterment assessment liens to MassDevelopment, which MassDevelopment may in turn assign to the providers of the PACE financing (each a "capital provider"), as collateral for such PACE financing, (iii) include on the property tax bills for the benefitted properties the installment payments necessary to repay the PACE betterment assessments, in the amounts and at the times as determined by MassDevelopment, (iv) collect and pay over to MassDevelopment or its designee, the PACE betterment assessment installment payments, as and when collected, and (v) enforce, to the extent required by the Agreement, the PACE betterment assessments and liens; the Agreement to be substantially in the form presented to this meeting, with such changes, modifications and insertions as the Mayor may approve as being in the best interest of the Municipality. The Collector Treasurer of the City or such other City agency as may be designated in the Agreement is authorized to levy such PACE betterment assessments and impose the PACE betterment assessment liens on behalf of the City without further authorization by this legislative body.

Notwithstanding any other provision of law to the contrary, officers and officials of the Municipality, including, without limitation, municipal tax assessors and tax collectors, are not personally liable to MassDevelopment or to any other person for claims, of whatever kind or nature, under or related to PACE Massachusetts, including, without limitation, claims for or related to uncollected PACE betterment assessments. Other than fulfillment of the obligations specified in the Agreement, the Municipality has no liability to the owner of the benefitted property or to any capital provider related to the Municipality's participation in PACE Massachusetts.

DISCUSSION: Councilor Desorgher reported the Economic Development Committee forwarded a unanimous positive recommendation.

It appeared Councilor Wheeler was no longer logged into the meeting. There was no determination if he was having technical difficulties or if he logged out of the meeting.

It was by roll call, 12 yes, 0 no,
VOTED: TO APPROVE ORDER NO. FY22-005.

Order no. FY 21-102

MOTION: On a motion by Councilor Forgey, second by Councilor Guin, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAWS, APPROVES REPURPOSING IN THE AMOUNT OF \$20,431.92 OF THE PREVIOUS AUTHORIZATION FY19-122 FOR THE REPAIR OF GREEN RIVER ROAD FOR PAVING MACKIN AVENUE.

DISCUSSION: Councilor Forgey reported the Ways & Means Committee forwarded a unanimous positive recommendation.

It was by roll call, 12 yes, 0 no,
VOTED: TO APPROVE ORDER NO. FY21-102.

Clerk Scott explained that due to an error, item IV was not removed from the agenda. The item V was the true order to be considered by the Council.

Order no. FY 22-001

MOTION: On a motion by Councilor Elmer, second by Councilor Mayo, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, AUTHORIZES THE GREENFIELD MONTAGUE TRANSPORTATION AREA (GMTA) TO SELL 382 DEERFIELD STREET, ASSESSORS MAP 15-4-0, UNDER THEIR AUTHORITY AS THE OWNERS OF THE PROPERTY.

DISCUSSION: Councilor Desorgher reported that the Economic Development Committee forwarded a unanimous positive recommendation on the previous order before it was corrected. There was concern that this new motion would need further inquiries.

MOTION: On a motion by Councilor Guin, second by Councilor Forgey, it was by roll call, 11 yes, 1 no,
TABLED: ORDER NO. FY22-001.

Order no. FY 22-006

MOTION: On a motion by Councilor Guin, second by Councilor Mayo, it was,
MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER AND IN ACCORDANCE WITH MGL PART I, TITLE II, CHAPTER 10, SECTION 58A, RENEWS THE STATE-AUTHORIZED CULTURAL DISTRICT FOR FIVE (5) YEARS TO BE NAMED "THE CROSSROADS CULTURAL DISTRICT", AND FURTHER, ENDORSES THE SUBMISSION OF THIS APPLICATION FOR RENEWAL AND AGREES TO FOSTER THE CONTINUED DEVELOPMENT OF THE CULTURAL DISTRICT, ENDORSES THE STATE-SPONSORED CULTURAL DISTRICT GOALS: ATTRACTING ARTISTS AND CULTURAL ENTERPRISES, ENCOURAGING BUSINESS AND JOB DEVELOPMENT, ESTABLISHING TOURIST DESTINATIONS, PRESERVING AND REUSING HISTORIC BUILDINGS, ENHANCING PROPERTY VALUES, AND FOSTERING LOCAL CULTURAL DEVELOPMENT, WILL APPOINT THE MAYOR OR DESIGNEE TO REPRESENT THE CITY WITHIN THE DISTRICT PARTNERSHIP OF SAID CULTURAL DISTRICT, ENCOURAGES ALL WHO OWN PROPERTY OR BUSINESSES WITHIN SAID CULTURAL DISTRICT TO INVOLVE THEMSELVES AND PARTICIPATE IN THE FULL DEVELOPMENT OF THE CULTURAL DISTRICT, AND RECOMMENDS THAT CITY AGENCIES IDENTIFY PROGRAMS AND

SERVICES THAT COULD SUPPORT AND ENHANCE THE DEVELOPMENT OF THE CULTURAL DISTRICT AND ENSURE THAT THOSE PROGRAMS AND SERVICES ARE ACCESSIBLE TO THE CULTURAL DISTRICT.

DISCUSSION: Councilor Guin noted that this motion was not forwarded to a sub-committee. He explained that the language presented to the Council was a State issued resolution. Director Adams presented rationale for the renewal of the Cultural District Committee.

It was by roll call, 11 yes, 1 abstention,

VOTED: TO APPROVE ORDER NO. FY22-006.

Order no. FY 22-003

MOTION: On a motion by Councilor Desorgher, second by Councilor Guin, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, VOTE TO ACCEPT A GIFT OF PROPERTY TO THE CITY OF GREENFIELD AT 0 BUNGALOW AVENUE (PARCEL ID 127-65-0).

DISCUSSION: Councilor Desorgher reported the Economic Development Committee forwarded a unanimous positive recommendation.

It was by roll call, 12 yes, 0 no,

VOTED: TO APPROVE ORDER NO. FY22-003.

Order no. FY 22-008A1

MOTION: On a motion by Councilor Forgey, second by Councilor Mayo, it was,

MOVED: THAT IT BE ORDERED THE CITY COUNCIL, DECLARES REAL ESTATE ON LAUREL STREET, BEING SHOWN ON ASSESSORS MAP 41, BLOCK 2-0, TO BE SURPLUS PROPERTY AND TRANSFERS SAID PROPERTY TO THE MAYOR FOR SALE.

DISCUSSION: Mayor Wedegartner presented rationale for the sale of this property.

It appeared Councilor Mayo was no longer logged into the meeting. There was no determination if he was having technical difficulties or if he logged out of the meeting.

It was by roll call, 10 yes, 1 abstention,

VOTED: TO APPROVE ORDER NO. FY22-008A1.

Order no. FY 22-008A2

MOTION: On a motion by Councilor Forgey, second by Councilor Jarvis, it was by roll call, 11 yes, 0 no,

VOTED: THAT IT BE ORDERED THE GREENFIELD CITY COUNCIL AUTHORIZES THE MAYOR TO SELL LAUREL STREET, ASSESSORS MAP R 41-2-0, PURSUANT TO THE CITY COUNCIL POLICY FOR THE SALE OF CITY OWNED LAND AND AUTHORIZE THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SAME.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – None.

ECONOMIC DEVELOPMENT COMMITTEE – Chairperson Desorgher reported that the Economic Development Committee had a productive meeting with information provided by Community &

Economic Development Director MJ Adams. She also wanted to bring attention to Phantom Brewery on Wells Street and that they could use extra help.

APPOINTMENTS AND ORDINANCE COMMITTEE- Chairperson Guin reminded Councilors that on Tuesday, July 27, 2021, 5:30 pm, via Webex, A & O had scheduled the public hearing for the proposed Charter recommendations.

WAYS AND MEANS COMMITTEE – Chairperson Forgey encouraged other members of the Council to attend future Ways & Means meetings. She had hoped that future meetings would be informative.

TREASURER REPORT None.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: - The Councilors discussed the continuation of meetings through virtual or in person.

MOTION: On a motion by Councilor Desorgher, second by Councilor Hirschfeld, it was,

MOVED: TO CONTINUE TO CONDUCT CITY COUNCIL AND SUBCOMMITTEE MEETINGS REMOTELY.

DISCUSSION: The Councilors continue their deliberations to conduct meetings through virtual or in person.

President Ricketts made a friendly amendment to continue to conduct subcommittee meetings remotely and conduct the city council meetings in person. Councilor Desorgher rejected the friendly amendment. The original motion was still on the floor.

MOTION: On a motion by Councilor Gilmour, second by Councilor Elmer, it was by roll call, 11 yes, 0 no,

TABLED: TO CONTINUE TO CONDUCT CITY COUNCIL AND SUBCOMMITTEE MEETINGS REMOTELY.

President Ricketts requested a page on the minutes be dedicated to Dee Letourneau. She also voiced her thoughts to the Town of Montague who were in a State of Emergency due to the exorbitant amount of rain and thanked the Greenfield Fire Department for their assistance to Montague.

Vice President Gilmour requested to hold a moment for the passing a former Councilor Brickett Allis's father. She requested a future discussion on Open Meeting Law for better clarification.

Vice President Gilmour and Councilor Bottomley requested a future discussion on Open Meeting Law for better clarification of its role in subcommittee meetings.

Councilor Forgey requested that the Committee schedule public hearings on the ARPA funds that the City would be receiving from the State.

MOTIONS FOR RECONSIDERATION: None.

ADJOURNMENT: On a motion by Councilor Elmer, second by Councilor Guin, it was unanimously,

VOTED: TO ADJOURN THE MEETING AT 11:30 P.M.

A true copy,

Attest: _____
Kathryn J. Scott, City Clerk

GREENFIELD CITY COUNCIL MEMBERS

Webex Conferencing System
Regular Meeting
July 21, 2021

	Attendance	Amend Minutes	Call FY22-007	Amend FY22-007	Call Amendment FY22-007 as Amended	FY22-005	FY21-102	FY22-001 Tabled	FY22-006	FY22-003	FY22-008A1	FY22-008A2	Table Remote	
1. Jarvis, Edward	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
2. Guin, Daniel	Y	Y	N	Y	Y	Y	Y	Y	AN	Y	Y	Y	Y	
3. Desorgher, Virginia	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
4. Bottomley, John	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
5. Dolan, Timothy	Y	Y	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	
6. Gilmour, Sheila	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	AN	Y	Y	
7. Wheeler, Otis	Y	Y	Y	Y	Y	Y	---	---	---	---	---	---	---	
8. Mayo, Douglas	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	---	---	---	
9. Hirschfeld, Norman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
10. Elmer, Philip	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
11. Forgey, Christine	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
12. Ricketts, Penny	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
13. Stempel-Rae, Ashley	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
		13 y 0 n	6 y 7 n	13 y 0 n	13 y 0 n	12 y 1 n	12 y 0 n	12 y 0 n	12 y 1 n	11 y 0 n 1 abt	12 y 0 n	10 y 0 n 1 abt	11 y 0 n	11 y 0 n

IN MEMORY OF

*DEANNE LYNNE
LETOURNEAU*

JANUARY 14, 1967 – JUNE 27, 2021



CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL TAKE FROM THE TABLE ORDER NO. FY 22-001 “UPON RECOMMENDATION OF MAYOR WEDEGARTNER, THAT IT BE ORDERED THE GREENFIELD CITY COUNCIL AUTHORIZES THE GREENFIELD MONTAGUE TRANSPORTATION AREA (GMTA) TO SELL 382 DEERFIELD STREET, ASSESSORS MAP 15-4-0, UNDER THEIR AUTHORITY AS THE OWNERS OF THE PROPERTY ” WHICH WAS TABLED AT THE JULY 21, 2021, CITY COUNCIL MEETING.

Majority Vote Required.

VOTE:

Explanation of supporting rationale:

TAKE FROM TABLE YES NO ABST

CALL THE QUESTION YES NO ABST

MAIN MOTION YES NO ABST

Order no. FY 22-001

Councilor _____ :
Second by Councilor _____ :

The City Council,

Moved that it be ordered,

THE CITY COUNCIL, UPON RECOMMENDATION OF MAYOR WEDEGARTNER, AUTHORIZES THE GREENFIELD MONTAGUE TRANSPORTATION AREA (GMTA) TO SELL 382 DEERFIELD STREET, ASSESSORS MAP 15-4-0, UNDER THEIR AUTHORITY AS THE OWNERS OF THE PROPERTY.

Majority Vote Required.

VOTE:

Explanation of supporting rationale:

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner and in accordance with MGL
Ch.30B §12B

Ordered that,

The City Council approve a three (20) year contract between the City of Greenfield
and Pan Am Railways.

Majority Vote Required

Vote:

Explanation of Supporting Rationale: Memo from DPW Director Warner, Contract



Roxann Wedegartner
Mayor

**City of
GREENFIELD, MASSACHUSETTS**

DEPARTMENT of Public Works

Marlo M. Warner II

Director of Public Works
189 Wells Street • Greenfield, MA 01301
Phone 413-772-1528

June 29, 2021

To: City Council
From: Marlo Warner
Cc: Roxann Wedegartner


RE: Pan Am Railways Consecutive Water District Agreement

Dear City Council,
Greenfield provides water to Pan Am Railways and is considered a consecutive Public Water System with Greenfield serving as the parent system.

Written agreements should be in place describing all operations, ownership of the critical infrastructure, sampling responsibilities, water quality analysis, and rate agreements within the agreement. This agreement is required by the Department of Environmental Protection Agency (DEP).

Please find the attached 20 year agreement for your approval.

Thank you in advance.



*The City of Greenfield is an Affirmative Action/Equal Opportunity Employer,
a designated Green Community and a recipient of the "Leading by Example" Award*

AGREEMENT

AGREEMENT made this _____ day of _____ in the year Two Thousand Twenty One, by and between:

THE INHABITANTS OF THE CITY OF GREENFIELD, acting by and through its Mayor, duly authorized, hereinafter referred to as "City"; and PAN AM SOUTHERN, acting by and through its Board of Directors, duly authorized, thereafter referred to as "Pan Am".

WHEREAS, Pan Am is desirous of obtaining water from the City for domestic and other purposes, including the extinguishing of fires, for the inhabitants of the territory served by Pan Am; and

WHEREAS, meetings have been held between said City and said Pan Am relating to the feasibility of providing said service to Pan Am and the conditions necessary to establish the purchase of water from the City,

NOW THEREFORE, in consideration of these mutual rights, covenants and obligations, said Pan Am agrees to abide by, perform and enter into, and said City agrees to enter into and abide by the following conditions, stipulations and provisions relating to the use of water by said Pan Am:

1. The point of connection to the Greenfield system shall be at the existing twelve-inch water main in Montague City Road where the existing 4-inch water line to East Deerfield connects into located on the southern side of Montague City Road east of the railroad underpass.
2. The City will provide water to said Pan Am based on the following formula:
 - (a) The average annual daily consumption of Pan Am shall not exceed five (5%) percent of the safe yield of the City's water system.
 - (b) At the time of the execution of the within Contract, the safe yield of the City's system is estimated to be 2.12 MGD. Based on this current safe yield, Pan Am may use up to 106,000 gallons per day, as of the contract date.
 - (c) In the event Pan Am exceeds the five (5%) percent safe yield factor, then the within Contract shall be deemed to be null and void and a new contract shall be negotiated to reflect and compensate for any charge consistent with the ability of the City and the requirements of Pan Am, if possible.

3. All water sold to Pan Am shall pass through the master meter located at the point of interconnection between the two systems. The City shall have the right to remove, calibrate, repair, or replace this meter at anytime. The cost of ordinary care and repair of the master meter is borne by the City; the cost of unusual repairs (necessitated by freezing, hot water, backflows, etc.) due or attributable to any carelessness or neglect on the part of Pan Am shall be borne by Pan Am. The City is not responsible for any service meters within Pan Am's system.
4. No person, except authorized employees of the City or persons expressly authorized by the City, shall install, remove, bypass, repair, or calibrate the master meter.
5. Pan Am shall be billed for the amount of water that passes through the master meter whether the water is used or wasted. No abatements shall be granted for water that is wasted or leaked.
6. The billing period currently in effect by the City will apply to Pan Am.
7. The water rate charge to Pan Am shall reflect the current cost of water production and supply as determined by the Mayor and/or Greenfield City Council for each fiscal year. The current water rate charge is \$3.52 per 100 c.f.
8. The City shall notify Pan Am of any increase to the water rate charge. Notice shall be sent by certified mail a minimum of 180 days prior to the effective date of the increase.
9. Pan Am shall be responsible for the maintenance of its system starting at the connection point to the City's twelve-inch water main in Montague City Road.
10. Pan Am shall be responsible for all testing and reporting required under the Safe Drinking Water Act (SDWA) and by the Massachusetts Department of Environmental Protection.
11. All users within Pan Am shall be metered except for specifically designated stand-by fire services.
12. No cross-connection, either temporary or permanent, between a piping system containing City of Greenfield water and any other piping system will be permitted unless fitted with a suitable backflow prevention device(s) that meet the requirements of Massachusetts 310 CMR 22.22.
 - (a) All new water service connections, including residential, within Pan Am shall be fitted with proper backflow prevention protection before water is supplied. Protection shall be provided to the last flowing tap on the premises.
 - (b) Pan Am shall maintain an active Cross Connection Control program that has been approved by the Massachusetts Department of Environmental Protection. If Pan

Am fails to develop, administer, and enforce such program, the City will require the installation suitable of backflow prevention devices at the point of connection between the two systems.

13. In the event a restriction on the amount of water is imposed on the City system, then Pan Am would be required to impose identical restrictions on the use of its water.
14. Pan Am shall adopt similar Rules and Regulations as now exist in the City in order that Pan Am users will be required to conform to these regulations insofar as they may be applicable to Pan Am.
15. The City shall not be liable for the following:
 - (a) No user, including Pan Am, shall be entitled to damages, or to have payment refunded, for any interruption of supply occasioned either by accident to any portion of the works, or by shutting off for the purpose of additions or repairs to the works, or by the stoppage or shortage of supply due to causes beyond the control of the City, such as excessive use of and waste of water by other users, or by leaks or defects in the pipes or appliances owned by the user, or by other users.
 - (b) Any damage caused by a water leak due to any and all causes.
 - (c) The City does not guarantee constant pressure nor uninterrupted service, nor does it assure the consumer either a full volume of water or the required pressure per square inch necessary to effectively operate hydraulic elevators, sprinkler systems, appliances, or any other usages, the same being subject to all the variable conditions that may take place in the use of water from the City mains.
 - (d) The City will not be responsible for damages caused by rusty and/or dirty water resulting from the opening or closing of any gate for repairs, the use of any hydrant, the breaking of any pipe, or any circumstances beyond the City's control.
 - (e) The City assumes no liability for conditions which exist in consumer's pipes and cause trouble coincident to or following the repairs of any main pipe, service pipe, or meter.
16. The within Contract between the parties herein shall be terminated by mutual agreement of said parties, or either party may terminate said Contract in the event a condition, reservation or other required act is not performed in accord with the terms as herein contained; otherwise, this Contract shall be deemed to be in force and effect for a period of twenty (20) years.
17. Notwithstanding any of the provisions herein contained, the within Contract shall conform to the provisions of the Massachusetts General Laws, including, but not limited

to Chapter 40, Section 39H, and the within Contract is deemed to be divisible and the invalidity of any section, clause or paragraph contained herein shall not invalidate the entire Contract or excuse performance on the part of either party for the valid portions of said Contract.

IN WITNESS WHEREOF, the Inhabitants of the City of Greenfield, acting by and through its Mayor, has caused these presents to be signed and delivered by its Mayor, and said Pan Am Railways has caused these presents to be signed and delivered by its Board of Directors, all on the day and year first above written.

CITY OF GREENFIELD, MASSACHUSETTS
MAYOR

Witness

Date

PAN AM ~~RAILWAYS~~ *Southern*

[Signature]

Robert Collier

MC Fletcher

Witness

Date

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL, PURSUANT TO CHARTER SECTION 2-10,
AFFIRMS THE FOLLOWING APPOINTMENTS BY THE MAYOR:

Susan White – Public Safety Commission – Term Expires June 30, 2023.

Ellie Mandell – Crossroads Cultural District Committee – Term Expires after completion of project.

Majority Vote Required.

VOTE:

Explanation of supporting rationale: Charter Section 2-10 does not call for a formal vote to accept the appointees but does say that “at least nine (9) members shall be necessary to reject an appointment proposed by the Mayor”



City of
GREENFIELD, MASSACHUSETTS



OFFICE OF THE MAYOR
ROXANN WEDEGARTNER

Mayor

City Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1560 • Fax 413-772-1519
Mayor@greenfield-ma.gov • www.greenfield-ma.gov

MEMO

TO: Penny Ricketts, City Council President

FROM: Mayor Roxann Wedegartner

DATE: July 27, 2021

RE: Appointments to City Boards and Commissions - August

I submit the following names to be appointed to these City Boards and Commissions:

- Public Safety Commission – Susan White; Appointment; June 30, 2023
- Crossroads Cultural District Committee – Ellie Mandell; Appointment; Duration of Project

Roxann Wedegartner

Mayor Roxann Wedegartner

July 18, 2021

Mayor Roxann Wedegartner - Office of the Mayor
Greenfield, MA 01030

Dear Mayor Wedegartner,

I kindly request your consideration of my strong interest to be of service on your Public Safety Commission. I am confident that a combination of my positive attitude, extensive experience, and specialized training addressing health and public safety concerns would contribute to your efforts in this area.

Over this past weekend, I was part of an American Red Cross effort to support individuals and families who were impacted by the severe flooding in the Millers Falls area. Collaborating with both fire and police departments is critical to any public safety effort and I am fortunate to have experience in this area in many different types of situations. I would be able to bring both a front-line perspective along with a systems understanding of public safety concerns to the Commission. As a newer resident of Greenfield (three years), I am eager to be of service in ways that can utilize my skills and commitment to advance the well-being of our city. Please find my CV attached.

Thank you for your consideration.

Sincerely,

Susan White

Tel # 412-401-1036

Address:

225 Plain Road

Greenfield, Ma 01301

Susan M. White
Greenfield, MA 01301
smwhite482@gmail.com
Mobile 412-401-1036

EXPERIENCE

LifePath, Inc, Greenfield, MA

Housing Coordinator (June 2019 – Present)

- Housing Coordinator for two sites, Morgan Allen Congregate House (20 units) and Supportive Housing Site Elm Terrance (108 units) both located in Greenfield, MA. Portfolio also previously included a second congregate house based in Turners Falls. As a DPH Licensed Community Health worker, encourage residents to successfully meet their activities of daily living in safe and accessible environments.
- Provide COVID19 information and personal prevention equipment. Act as resource and “fear-reliever.” Model health behavior and safe practices to prevent COVID19 at an individual level that keep the whole community safe.
- Listen, problem-solve and share conflict resolutions methods. Share information and community resources. Provide opportunities for behavior changes that enhance healthy living.
- Facilitate Multi-Disciplinary Assessment Team resident selection process; assist resident transitions into housing; and provide on-site support to ensure individual resident & housing community needs are met.
- Collaborate with LifePath clinical and stay-at-home health care teams.
- Responsible for marketing and outreach efforts to engage potential new residents and share benefits of congregate housing for elderly and persons with disabilities.
- Adhere to, and monitor emergency and safety protocols. Collaborate with fire departments & housing authorities.
- Implement Executive Office of Elder Affairs Congregate Housing Program Policies.

BayMark Health Services, HCRC Greenfield, MA

Treatment Center Director (April 2018 – March 2019)

- Provided medically-assisted treatment (methadone) to 200 clients per day, 7 days a week.
- Ensured compliance with local, state and federal regulatory and accrediting agencies.
- Implemented emergency and safety protocols for staff and clients.
- Provided clinical, counseling and administrative staff with competent managerial support and oversight.
- Responsible for providing community health worker functions (20 hours per week) that include: listening, advocating, facilitating, problem-solving, and linking clients to community resources that complement their medically-assisted methadone treatment plans reflecting cultural sensitivity.
- Established NARCAN training and access to community resources to address overdose situations
- Established conflict resolution process to address client concerns. Ensured fair hearing & appeal process.
- Provided regular reviews of the electronic medical record system.
- Ensured timely billing, payment follow-up, and revenue maximization with regular accounting reports.
- Provided timely weekly, monthly, quarterly and annual reports to headquarters and meet program goals.
- Responsible for marketing and outreach efforts to inform Greenfield community of methadone services & benefits. Participated in community networks such as Franklin County’s Opioid Task Force.
- Attended to building infrastructure, contracts and vendor relationships.

World Vision in Mozambique - Strengthening Communities through Integrated Programming

Contractor - Interim Chief of Party (Sept 2017- December 2018). Based in Quelimane, Mozambique.

- Led a 92 person staff and community-based team of 2,500 community health workers to address HIV medical-adherence for 2.2 million Mozambicans in Zambezia Province in Mozambique.
- Managed \$13.4 m project budget adhering to monthly, qtrly & annual reporting to WV, USAID, and CDC.

- Implemented and evaluated a mobile health technology pilot project to improve HIV medical adherence.
- Mentored into leadership role first-ever Mozambican Chief of Party.
- Improved security and health protocols, financial management processes, and partner relationships.
- Led the Center for Disease Control (CDC) \$1.3 million DREAMS project focused on 4,800 impoverished girls between the ages of 8 -24 years old living in Quelimane. Established 48 Girls Clubs engaging girls in discussions about reproductive health/contraception options, HIV prevention, and micro-economic initiatives.

Dimagi, Inc. in Mozambique and Cambridge, MA

Contractor (2018). Repeated Contracts.

- Provided strategic management inputs and project analysis, of company's current mobile health technology projects in South Africa and Mozambique.

Pathfinder International, Boston, MA (2010 – 2015)

Program Director

- Led program operations and provided budget oversight totalling \$157 million for 38 projects addressing maternal health and HIV/AIDS in (6) countries in sub-Saharan Africa. Implemented evaluative mechanisms to ensure program quality and target achievement utilizing culturally attentive approaches.
- Led and supported headquarters staff team and field operations team of 9 medical doctors and senior clinicians. Supported leadership development and management of project teams totaling 400 staff.
- Monitored budgets meeting all finance & accounting report deadlines. Secured, implemented and stewarded specific projects from a variety of funding sources: USAID, CDC, private foundations, corporations and individuals.
- Implemented first-ever mobile health technology project in Nigeria.
- Adhered to local, state and federal government compliance regulations.
- Implemented health emergency response plans in response to security situations adapted to each country.
- Traveled extensively and provided on-site interim Chief of Party project leadership when needed.

Healthcare & Education Consultant (2008 – 2010)

- University of Pittsburgh School of Medicine, Beira, Mozambique.
- United Board of Christian Higher Education Asia, New York & Hong Kong.

EDUCATION

- Licensed Community Health Worker #CHW00343, Department of Public Health – Massachusetts 2019
- MPH Graduate School of Public Health, University of Pittsburgh, Pittsburgh, PA 2009
Focus Area: Behavioral & Community Health
- MPA Graduate School of Public & International Affairs, University of Pittsburgh, PA 1996
Focus Areas: Public Administration, Economic & Social Development, Women's Studies
- BA - Political Science, Colorado College, Colorado Springs, CO

SPECIALITY SKILLS

- Portuguese, Advanced Proficiency
- Highly trained in mobile health technology systems: ComCare mHealth & DataWinners Systems
- Electronic Medical Health Systems: SAMS, SMART

SERVICE COMMITMENTS

American Red Cross Certified Volunteer (2016 – Present)

First AID/CPR/AED – Adult & Pediatric.

Service Associate & Disaster Assistance Team Member. Competency Areas: COVID19 Prevention. Psychological First AID, Shelter Fundamentals, Disaster Response. (40 training hours).

**Health Solutions Committee & Methadone Working Group
Opioid Task Force, of Franklin County (2018-Present)**

Boston Medical Center, Opioid Research Project Participant (2019-2021)

**American Public Health Association (2009-2018) Sexual Reproductive Health Committee/Chair
Task Force**

Thomas Dairy Farm, Sunderland MA (Sept-Oct 2019) Nubian Goat Farm Volunteer

July 17, 2021

Dear Mayor Wedegartner,

I have been in correspondence with Linda McNerney about the vacancy on the Crossroads Cultural District Committee.

MY BACKGROUND: I have an undergraduate degree in Fine Arts from Harvard University. After working in the computer industry for several years, I got an MBA and Masters in Accounting from Northeastern University, then worked as a CPA for many years, primarily at PriceWaterhouseCoopers and at John Hancock Financial Services in the Boston area. My husband and I moved to Greenfield in 2013. We purchased and then extensively renovated the "Church Street Home" house on the corner of Church and Franklin. I've always had a strong interest in the arts. It would give me deep joy to be able to contribute my expertise and ideas, along with some heavy lifting, to this committee and also to this town that I have come to love. Let me know if there is any other information you require from me.

Kind regards,

Ellie Mandell

413-774-2943

24 Church Street

emandell@verizon.net

CITY COUNCIL ORDER
Town of GREENFIELD
MASSACHUSETTS

Councilor _____ :

Second by Councilor _____ :

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY COUNCIL DIRECTS THE FOLLOWING QUESTION BE PLACED UPON THE OFFICIAL BALLOT AT THE GENERAL CITY ELECTION TO BE HELD ON NOVEMBER 2, 2021:

BALLOT QUESTION

“SHOULD THE GREENFIELD CITY COUNCIL SEEK TO AMEND SECTION 7-8 OF THE CITY CHARTER TO CHANGE THE REQUIRED NUMBER OF SIGNATURES FOR CITIZEN REFERENDUM PETITIONS BY CHANGING THE CURRENT CHARTER LANGUAGE FROM:

“A NUMBER OF VOTERS EQUAL TO TEN PERCENT (10%) OF THE TOTAL NUMBER OF VOTERS VOTING IN THE MOST RECENT BIENNIAL CITY ELECTION, BUT NOT LESS THAN TWO AND ONE HALF PERCENT (2 1/2 %) OF ALL REGISTERED VOTERS AS OF THE SAME DATE”

TO:

“A NUMBER OF VOTERS EQUAL TO SEVEN PERCENT (7%) OF THE TOTAL NUMBER OF VOTERS REGISTERED TO VOTE IN THE MOST RECENT BIENNIAL CITY ELECTION THAT OCCURRED PRIOR TO THE DATE WHEN SAID SIGNATURES ARE FILED WITH THE CITY CLERK”?

YES _____

NO _____

Majority vote required: _____

VOTE: _____

Explanation of supporting rationale: _____

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____:

Second by Councilor _____:

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY CHARTER ARTICLE 1, INCORPORATION; SHORT TITLE; DEFINITIONS, SECTION 1-7: DEFINITIONS, NOT BE AMENDED.

Majority vote required: _____

VOTE: _____

Explanation of supporting rationale: _____

ARTICLE 1

INCORPORATION; SHORT TITLE; DEFINITIONS

(o) *Voters* -- The word "voters" shall mean registered voters of the City of Greenfield.

***** Suggestion was made to consider adding “resident alien” to this definition, or add a separate definition entitled “resident alien”. If a separate definition is added, must take care to add this to other places in the Charter where the word “voter” is used, such as Sections which define those persons eligible to run for office in Greenfield.

The reason to add a separate definition for resident aliens is that resident aliens, who may be green card holders or persons that meet the IRS substantial presence test, are expressly barred from voting in national elections but have been granted voting rights in local elections by a handful of municipalities across the country. Should resident aliens, if granted the right to vote, also be granted the right to run for office in Greenfield? The Committee discussed this issue and some members stated that being a US citizen should be the defined limiting qualification of a voter, while others stated that allowing a resident alien to vote may be permitted; however the Committee did not decide if a resident alien should be permitted to run for elected office.

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :

Second by Councilor _____ :

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY CHARTER ARTICLE 2 LEGISLATIVE BRANCH, SECTION 2-1: COMPOSITION; TERM OF OFFICE (b) TERM OF OFFICE, BE AMENDED AS INDICATED IN STRIKE DRAFT:

(b) *Term of Office* – The term of office for City Councilors shall be for **2 4** years, beginning on the first business day of January after the City Election, and until the City Councilors’ successors have been qualified.

AND THAT THE CITY COUNCIL FURTHER INSTRUCTS THE CITY CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE CITY CHARTER.

Majority vote required: _____

VOTE: _____

Explanation of supporting rationale: _____

ARTICLE 2
LEGISLATIVE BRANCH

SECTION 2-1: COMPOSITION; TERM OF OFFICE

(b) *Term of Office* – The term of office for City Councilors shall be for 4 years, beginning on the first business day of January after the City Election, and until the City Councilors’ successors have been qualified.

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____:

Second by Councilor _____:

The City Council,

Moved that it be ordered,

~~THAT THE GREENFIELD CITY CHARTER ARTICLE 2, LEGISLATIVE BRANCH, (e),
ELIGIBILITY, BE AMENDED~~

~~AND THAT THE CITY COUNCIL FURTHER INSTRUCTS THE CITY CLERK TO SUBMIT THE
APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF
MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE CITY CHARTER.~~

Majority vote required: _____

VOTE: _____

Explanation of supporting rationale: _____

ARTICLE 2
LEGISLATIVE BRANCH

(c) *Eligibility* - Any voter** shall be eligible to hold the office of Councilor-at-Large. A Precinct Councilor shall at the time of election be a voter of the precinct from which elected, provided if any Precinct Councilor dies, resigns, or removes from his or her precinct, the procedure for filling a vacancy shall apply.

** Reminder about the fact that a voter can be a resident alien if that definition is accepted and added.

***CITY COUNCIL ORDER* City of GREENFIELD**

MASSACHUSETTS

Councilor _____:

Second by Councilor _____:

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY CHARTER ARTICLE 2, LEGISLATIVE BRANCH, SECTION 2-2: COUNCIL PRESIDENT, (A) ELECTION AND TERM, BE AMENDED AS INDICATED IN STRIKE DRAFT:

SECTION 2-2: COUNCIL PRESIDENT AND VICE PRESIDENT

(a) Election and Term – ~~As soon as practicable after the Councilors-elect have been qualified following each City Election or~~ On the first business day of the new year, the members of the City Council shall elect from among its members a Council President **and Vice President** who shall serve during the ensuing year.

AND THAT THE CITY COUNCIL FURTHER INSTRUCTS THE CITY CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE CITY CHARTER.

Majority vote required: _____

VOTE: _____

Explanation of supporting rationale: _____

ARTICLE 2

LEGISLATIVE BRANCH

SECTION 2-2: COUNCIL PRESIDENT*

(a) Election and Term – As soon as practicable after the Councilors-elect have been qualified following each City Election** or on the first business day of the new year, the members of the City Council shall elect from among its members a Council President*** who shall serve during the ensuing year.

* should add “AND VICE PRESIDENT”.

** It came to the attention of the Committee that this section may be confusing with respect to the first part of the sentence before the word “or”. Since elections are biennial, and the Charter states “after each Election”, it can be interpreted that the President is elected every two years rather than every year, which has been the custom. Moreover, the language after the word “or” seems to state that the President is elected each year to serve one year. To remedy the confusion it is suggested that the phrase beginning “As soon as practicable” and through the word “or” be deleted, and the sentence begin with “On the first business day of the new year....”.

*** Also add the phrase “and Vice President” here.

CITY COUNCIL ORDER
City of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY CHARTER ARTICLE 2, LEGISLATIVE BRANCH,
SECTION 2-2: COUNCIL PRESIDENT, (C) COUNCIL VICE-PRESIDENT, BE AMENDED AS
INDICATED IN STRIKE DRAFT:

SECTION 2-2: COUNCIL PRESIDENT AND VICE PRESIDENT

(c) *Council Vice-President* - ~~The members of the City Council shall also elect from among its members a~~ **The Vice-President shall serve as Acting President** Council Vice-president who shall serve as Acting President during the temporary absence or disability of the Council President during the ensuing term of office. The powers of an acting Council President shall be limited to only those powers of the president as may be necessary to the conduct of the business of the City Council in an orderly and efficient manner and which may not be delayed.

(d) **Vacancies in the office of President or Vice President – In the event the Council President or Vice President shall vacate their office for any reason prior to the end of their term of office, at the next regularly scheduled meeting after such vacating and prior to conducting business the Councilors shall elect from among its members a successor President or Vice President to serve for the remainder of the term.**

AND THAT THE CITY COUNCIL FURTHER INSTRUCTS THE CITY CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE CITY CHARTER.

Majority vote required:

VOTE:

Explanation of supporting rationale:

ARTICLE 2
LEGISLATIVE BRANCH

SECTION 2-2: COUNCIL PRESIDENT*

(c) *Council Vice-President* - The members of the City Council shall also elect from among its members a ******** Council Vice-president who shall serve as Acting President during the temporary absence or disability of the Council President during the ensuing

term of office. The powers of an acting Council President shall be limited to only those powers of the president as may be necessary to the conduct of the business of the City Council in an orderly and efficient manner and which may not be delayed.*****

***** It is suggested to delete the sentence before the ***** and then begin by stating “The Vice-president shall serve as Acting President,”

***** The Charter is silent on what process follows in the event the Council President or Vice President is unable to complete his or her term of office. The following new Section 2-2 (d) is suggested:

(d) *Vacancies in the office of President or Vice President* – In the event the Council President or Vice President shall vacate their office for any reason prior to the end of their term of office, at the next regularly scheduled meeting after such vacating and prior to conducting business the Councilors shall elect from among its members a successor President or Vice President to serve for the remainder of the term.

***CITY COUNCIL ORDER* City of GREENFIELD**

MASSACHUSETTS

Councilor _____:

Second by Councilor _____:

The City Council,

Moved that it be ordered,

THAT THE GREENFIELD CITY CHARTER ARTICLE 2, LEGISLATIVE BRANCH SECTION 2-6: EXERCISE OF POWERS; QUORUM; RULES, (C) RULES OF PROCEDURE, 2, BE AMENDED AS INDICATED IN STRIKE DRAFT:

2. Special meetings of the City Council shall be held at the call of the Council President, or, on the call of any five (5) or more members, by written notice delivered in hand or to the place of residence of each member **or by secure electronic communication that allows receipt confirmation** and which contains a listing of the items to be acted upon. Except in case of an emergency, of which the Council President shall be judge, such notice shall be delivered at least forty-eight (48) hours in advance of the time set for such meeting. A copy of the notice to members shall, forthwith, be posted upon the City bulletin board.

AND THAT THE CITY COUNCIL FURTHER INSTRUCTS THE CITY CLERK TO SUBMIT THE APPROVED VOTE TO THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS AND REQUEST SAID LEGISLATURE TO AMEND THE CITY CHARTER.

Majority vote required: _____

VOTE: _____

Explanation of supporting rationale: _____

ARTICLE 2

LEGISLATIVE BRANCH

SECTION 2-6: EXERCISE OF POWERS; QUORUM; RULES

2. Special meetings of the City Council shall be held at the call of the Council President, or, on the call of any five (5) or more members, by written notice delivered in hand or to the place of residence of each member* and which contains a listing of the items to be acted upon. Except in case of an emergency, of which the Council President shall be judge, such notice shall be delivered at least forty-eight (48) hours in advance of the time set for such meeting. A copy of the notice to members shall, forthwith, be posted upon the City bulletin board.

* The Councilors on the Committee brought up the need for providing notices by electronic communication as an additional option. Such an option, in order to insure a fair and equitable system of providing notice, should require a communication vehicle that is available to all Councilors and can confirm receipt of such notice to the City Clerk.

The Committee suggests the following language be added here “or by secure electronic communication that allows receipt confirmation.”

City Council – First Reading- August 18, 2021

- Transfer \$10,000 from Reserve Fund to DPW Parks Swim Area Materials to Cover Expenses of the Flooding at the Nash Mill Road recreation area.

CITY of GREENFIELD
MASSACHUSETTS

Councilor _____ :
Second by Councilor _____ :

The City Council,

Upon recommendation of Mayor Wedegartner and in accordance with
Massachusetts General Laws,

Reserve Fund Transfer Request

Moved that it be ordered,

Ordered, that:

The Sum of \$10,000 be transferred from 01001320.5781 Reserve Fund to DPW
Parks 01004380.5433 Swim Area Materials to cover expenses associated with the
unforeseen flooding at Nash Mill Road recreation area.

Reserve Fund Balance is \$75,000

Balance in 01004380-5433 Swim Area Materials is \$7,000

Majority vote required (7)

VOTE:

Explanation of supporting rationale:

*The deductible will be \$5,000 even if insurance covers some of the expenses; likely
sand and wood chips will not be covered.

*This sand and wood chips purchase will more than deplete the swim area materials
account and leave the account without funding for the spring.

Director Warner estimates the cost for the sand and wood chips to be \$10,000.



Roxann Wedegartner
Mayor

City of
GREENFIELD, MASSACHUSETTS

Department of Public Works


Marlo M. Warner II

Director of Public Works

189 Wells Street • Greenfield, MA 01301
Phone 413-772-1528 • marlo.warner@greenfield-ma.gov • www.greenfield-ma.gov

MEMO

July 26, 2021

To: City Council
From: Marlo Warner 
Cc: Mayor Wedegartner

Re: Flooding 7/17, Greenfield Swimming Area

Dear City Council,


As you may all know our Greenfield Swimming Area recently experienced a flooding condition where damages occurred and my current operating budget cannot sustain the repairs needed to bring the area back to standard. Budget line 0100.4380.5433 is budgeted for \$7,000 and is used for general maintenance and repairs to get the Swimming Area up and running in the spring for the season.

The current estimate now that the river has receded, is right around \$10,000.00. The following is the breakdown of the estimates and materials:

Certified Playground Chips	\$3,821.85
Beach Sand (200 yds@ \$14.50)	\$3,100.00
Rip Rap Stone (100 ton@ \$16.00)	\$1,600.00
Stone Dust (125 ton@ \$10.00)	<u>\$1,250.00</u>
Total:	\$9,771.85

I respectfully ask for the replacement funding of these repairs to be put back in my operating budget, so that the DPW can properly maintain the Swimming Area for the remainder of the FY22 operating budget.

Thank you for your consideration in advance.


*The City of Greenfield is an Affirmative Action/Equal Opportunity Employer,
a designated Green Community and a recipient of the "Leading by Example" Award*

Notice of Zoning Amendment proposals – August 18, 2021

The following zoning amendment proposals have been submitted to the Greenfield City Council for consideration:

- Amend Zoning Map for the Property located at 28-34 Colorado Avenue (MP R42-4-0), submitted July 16, 2021, by Allan & Janet Keyes.
- Amendments to Chapter 200: Zoning, Section 7.17: Marijuana Establishments, submitted August 6, 2021, by the Planning Board

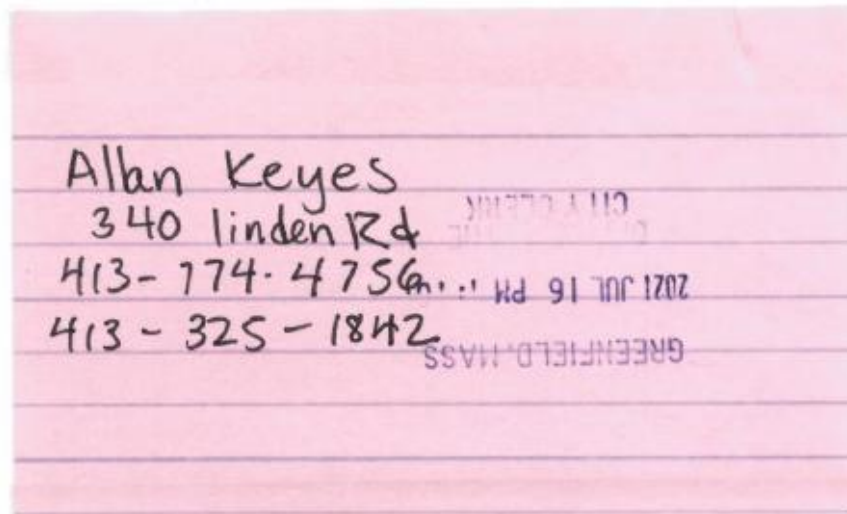
From Allan and Janet Keyes:

When we first bought the property at 28-34 Colorado Ave (Map Parcel R42-4-0), it was zoned General Industrial. Within a few years, the town wanted to make all of Colorado Avenue Residential. We asked for our property to remain Industrial, or Commercial, for the sake of our business that we ran in one of the buildings up and until a few years ago. For the past 50 years or so, our property tax bills have come through as Residential/Commercial.

We are trying to sell the property and are finding that the current zoning is problematic as the city Zoning Map has our property divided into 2 zones, General Industrial and Residential A. The shop that was commercial for many years is actually in the Residential A zone. We are requesting that the General Industrial zone be modified to include the shop building.

This property is ideal in location for a proposed business, as it is all by itself at the end of a dead-end road on the south end of Greenfield, and bordered mostly by the Deerfield River, and by the City of Greenfield property. Making this zoning change should not impact the residential zone as it is far enough away from the abutters on Colorado Ave.

The accompanying petition is for an amendment to the Zoning Map, and requires at least ten signatures of Greenfield voters.



MAP
PETITION FOR AMENDMENT TO THE TOWN OF GREENFIELD ZONING ORDINANCES IN ACCORDANCE
WITH G.L. c. 40A, § 5

The undersigned being ten (10) or more registered voters in the Town of Greenfield, hereby petition the Greenfield Town Council, in accordance with G.L. c. 40A, § 5, to amend the Greenfield Zoning Ordinances as follows:
(Request)

Currently our land is divided into 2 zones. GI and RA. (Map R42 lot 4). We request the City of Greenfield extend the GI zone on Map R42 to include all or a portion of the lot that would include the shop building and run all the way down the river. Please see map attached.

Rational: This lot was in the GI zone in the past. Our property includes 23 acres at the end of a dead end road. It contains a shop building that we ran a commercial auto repair business for many years, a 2- family home and a single-family home. It also contains a road that goes down along the Deerfield River to a stretch of farm land. It also contains a Right of way over that road for the city to get to their sump, and for the utilities to get to the power lines at the far westerly portion of our land.

We are in the process of trying to sell the property as we have retired and no longer operate the business. We believe this zoning change is the best use of this property and more accurately will depict its use. The RA zone that it is currently classified on a portion of the land is too restrictive and does not meet the needs for the property.

	Signature To be made in person)	Residence at time of signing (Street and Number)	Pct.	Residence on January 1" (Street and Number)	Pct.
1	✓ Maria Sipace	16 Oak Hill Rd	1	SAME	1
2	✓ [Signature]	16 Oak Hill Rd	1	SAME	1
3	✓ Patrick D. Joseph	365 Leyden Rd	1	Same	1
4	✓ Joseph J. [Signature]	440 Leyden Rd	1	Same	1
5	✓ [Signature] & [Signature]	440 Leyden Rd	1	Same	1
6	✓ Christine [Signature]	397 Barton Rd	1	Same	1
7	✓ [Signature]	397 Barton Rd	1	Same	1
8	✓ [Signature]	81 Barton Rd	1	SAME	1
9	✓ [Signature]	81 Barton Rd	1	SAME	1
10	✓ [Signature]	427 Leyden	1	Same	1
11	✓ Mary [Signature]	96 County Club	1	SAME	1
12	✓ [Signature]	366 Leyden Rd	1	Same	1
13	✓ [Signature]	469 Barton Rd	1	Same	1
14	✓ [Signature]	16 Gold St	2	Same	2
15	✓ Zach Howard	308 Leyden	1	Same	1

CERTIFICATION OF SIGNATURES

Greenfield July 21, 2021
city or town, month and day

We certify that

Fifteen (15)
(number of names certified - words & numbers)

Above signatures checked are names of qualified voters from this town or city

David [Signature]
[Signature]
[Signature]
[Signature]
Registrars of Voters
Town of Greenfield, Franklin County

MAF

(Request)

41

MAP R-42 lot 4





Roxann Wedegartner
Mayor

City of
GREENFIELD, MASSACHUSETTS

PLANNING AND DEVELOPMENT

PLANNING BOARD

City Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • eric.twarog@greenfield-ma.gov • www.greenfield-ma.gov

TO: Penny Ricketts, City Council President
Members of the Greenfield City Council

FROM: Charles Roberts, Chairperson, Planning Board

DATE: August 6, 2021

RE: Planning Board initiation of the proposed zoning amendments to Section 200-7.17, Marijuana Establishments, of the Zoning Ordinance

At its August 5, 2021 meeting, the Planning Board, after careful consideration and deliberation, took the following vote to initiate the attached proposed zoning amendments to Section 200-7.17, Marijuana Establishments, of the Zoning Ordinance:

MOTION: Moved by Eash, seconded by Maloni, and voted 5:0:0 to forward the proposed zoning amendments to Section 200-7.17, Marijuana Establishments, of the Zoning Ordinance to the City Council to initiate the zoning amendment process.

Respectfully submitted,
Charles Roberts
Chairperson, Planning Board

Attachment – Proposed Zoning Amendments to Section 200-7.17, Marijuana Establishments, of the Zoning Ordinance

PROPOSED AMENDMENT TO THE GREENFIELD ZONING ORDINANCE
AMENDING SECTION 200-7.17 – MARIJUANA ESTABLISHMENTS
May 18, 2021, July 7, 2021, August 5, 2021

Note: Text with a ~~strike through~~ is text to be deleted, *black bold italic* text is newly proposed text.

Amend the Greenfield Zoning Ordinance by adding the following new definitions to Section 200-2.1:

***MARIJUANA COURIER** – means an entity licensed to deliver Finished Marijuana Products, Marijuana Accessories and Branded Goods directly to Consumers from a Marijuana Retailer, or directly to Registered Qualifying Patients or Caregivers from an MTC, but is not authorized to sell Marijuana or Marijuana Products directly to Consumers, Registered Qualifying Patients or Caregivers and is not authorized to Wholesale, Warehouse, Process, Repackage, or White Label. A Marijuana Courier is an additional license type under G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002: Definitions or 935 CMR 500.050: Marijuana Establishments and shall be subject to 935 CMR 500.050(1)(b): Control Limitations.*

***MARIJUANA DELIVERY OPERATOR or DELIVERY OPERATOR** -- means an entity licensed to purchase at Wholesale and Warehouse Finished Marijuana Products acquired from a Marijuana Cultivator, Marijuana Product Manufacturer, Microbusiness or Craft Marijuana Cooperative, and White Label, sell and deliver Finished Marijuana Products, Marijuana Accessories and Marijuana Branded Goods directly to Consumers, but is not authorized to Repackage Marijuana or Marijuana Products or operate a storefront under this license. A Delivery Operator is an additional license type under G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002: Definitions or 935 CMR 500.050: Marijuana Establishments and shall be subject to 935 CMR 500.050(1)(b): Control Limitations*

Amend Section 200-7.17 – Marijuana Establishment of the Zoning Ordinance with the following:

~ 200-7.17. Marijuana Establishments

A. Purpose

The purpose of this Section is to provide for the orderly placement of medical and recreational marijuana establishments in areas where such use is not inconsistent with the neighborhood character and in accordance with State law.

B. Applicability

(1) ***Community Host Agreement: No Special Permit shall be granted without first having an executed Community Host Agreement with the City of Greenfield.***

(2) ***Community Outreach Meeting: No Special Permit application shall be deemed complete by the Planning Department until a Community Outreach Meeting in accordance with 935 CMR 500 has occurred.***

(3) ***No person shall operate a marijuana establishment without having a license in good standing from the Commission.***

(4) No more than eight (8) Marijuana Retailers *and no more than four (4) Marijuana Delivery Operators* shall be allowed within the City of Greenfield. The number of licenses for brick and mortar Marijuana Retailers shall be capped at eight (8).

(5) All Marijuana Establishments shall require a special permit from the Zoning Board of Appeals.

(6) The commercial cultivation production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana is prohibited unless permitted as a Marijuana Establishment under this Section.

(7) No Marijuana Establishment shall be established except in compliance with the provisions of this Section.

(8) Nothing in this Section shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

(9) If any provision of this Section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Section are severable.

C. Definitions.

The following definitions can be found in Section 200-2.1, Definitions, of the Zoning Ordinance: Cannabis or Marijuana, Craft Marijuana Cooperative, Commission (CCC), Hemp, Host Community, Host Community Agreement, *Marijuana Courier*, Marijuana Cultivator, *Marijuana Delivery Operator*, Marijuana Establishment, Marijuana Micro-Business, Marijuana Independent Testing Laboratory, Marijuana Research Facility, Marijuana Retailer, Marijuana Product Manufacturer, Marijuana Standards Testing Laboratory, Marijuana Transporter, and Medical Marijuana Dispensary.

D. Eligible Locations for Marijuana Establishments

See Article IV, Use Regulations, and Appendix A, Table of Uses, of the Greenfield Zoning Ordinance.

E. General Requirements and Conditions for all Marijuana Establishments

(1) All processing, testing, product manufacturing, and retail must take place within a fully enclosed building.

(2) Marijuana plants, products, and paraphernalia shall not be visible from outside the building in which the marijuana establishment is located. No outside storage is permitted.

(3) The hours of operation of Marijuana Establishments shall be set by the Special Permit Granting Authority, but in no event shall said Marijuana Establishments be open and/or operating between the hours of 10:00 PM and 7:00 AM.

(4) No Marijuana Establishment shall be located within a radius of one-hundred (100) feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12. The one-hundred (100) foot distance under this section shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Establishment is or will be located.

(5) No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Marijuana Establishment.

(6) No Marijuana Establishment shall be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.

(7) All business signage for marijuana establishments shall be subject to the requirements promulgated by the Massachusetts Cannabis Control Commission and the requirements of Section 200-6.7 of the Greenfield Zoning Ordinance.

(8) Marijuana Establishments shall provide the Greenfield Police Department, Building Inspector and the Special Permit Granting Authority with the names, phone numbers and email addresses of all management staff and keyholders to whom one can provide notice if there are operating problems associated with the establishment.

(9) Marijuana Establishments are not permitted as a Home Occupation, as defined per Section 200-6.3 of the Greenfield Zoning Ordinance.

(10) No Marijuana Establishment shall be permitted to operate from a moveable, mobile or transitory location, except as permitted for delivery operator and courier licensees in accordance with 935 CMR 500.000.

(11) Vehicles owned and operated by Delivery operators and Couriers must include in their fleet at least one third total vehicles of either hybrid or electric vehicles for licensees owning six (6) or more vehicles for the purpose of delivery.

F. Special Permit Requirements

(1) In addition to the application requirements set forth in Section E of this Ordinance, a special permit application for a Marijuana Establishment shall include the following:

- (a) proof that the application to the CCC has been deemed complete pursuant to 935 CMR 500.102;
- (b) the name and address of each owner of the facility;
- (c) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the Marijuana Establishment;
- (d) evidence of the Applicant's right to use the site of the Marijuana Establishment for the Marijuana Establishment, such as a deed, or lease;
- (e) if the Applicant is a business organization, a statement under oath disclosing all

of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;

(f) a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;

(g) proposed security measures for the Marijuana Establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft.

(2) **Mandatory Findings.** The Special Permit Authority shall not issue a special permit for a Marijuana Establishment unless it finds that:

(a) the Marijuana Establishment is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in M.G.L. c. 40A, §11;

(b) the Marijuana Establishment demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and

(c) the Applicant has satisfied all of the conditions and requirements of Sections E and F herein;

G. **Abandonment or Discontinuance of Use**

(1) A Special Permit shall lapse if not exercised within one year of issuance.

(2) A Marijuana Establishment shall be required to remove all material, plants equipment and other paraphernalia prior to surrendering its state issued licenses or permits; or within six months of ceasing operations; whichever comes first.

Amend the Greenfield Zoning Ordinance, Section 200-4.7(C), Central Commercial District, by adding the following new uses by special permit:

C. Uses permitted by special permit.

(30) *Marijuana courier pursuant to ~ 200-7.17.*

(31) *Marijuana delivery operator pursuant to ~ 200-7.17.*

Amend the Greenfield Zoning Ordinance, Section 200-4.8(C), Limited Commercial District, by adding the following new uses by special permit:

C. Uses permitted by special permit.

(25) *Marijuana courier pursuant to ~ 200-7.17.*

(26) *Marijuana delivery operator pursuant to ~ 200-7.17.*

Amend the Greenfield Zoning Ordinance, Section 200-4.9(C), General Commercial District, by adding the following new uses by special permit:

C. Uses permitted by special permit.

(31) *Marijuana courier pursuant to ~ 200-7.17.*

(32) *Marijuana delivery operator pursuant to ~ 200-7.17.*

Amend the Greenfield Zoning Ordinance, Section 200-4.11(C), General Industry District, by adding the following new uses by special permit:

C. Uses permitted by special permit.

(38) *Marijuana courier pursuant to ~ 200-7.17.*

(39) *Marijuana delivery operator pursuant to ~ 200-7.17.*

Amend the Greenfield Zoning Ordinance, Section 200-4.12(C), Planned Industry District, by adding the following new uses by special permit:

C. Uses permitted by special permit.

(16) *Marijuana courier pursuant to ~ 200-7.17.*

(17) *Marijuana delivery operator pursuant to ~ 200-7.17.*

Amend the Greenfield Zoning Ordinance by amending the Table of Uses to read as follows:

	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Contractor's yard	N	N	N	N	N	N	N	SP	N	Y	N
Open storage of raw materials, finished goods, or equipment	N	N	N	N	N	N	N	SP	N	Y	SP
Light industry, manufacturing or processing plant	N	N	N	N	N	N	N	SP	N	Y	Y
Research and development facilities	N	N	N	N	SP ¹¹	SP	SP	SP	SP	Y	Y
Salvage/junkyard	N	N	N	N	N	N	N	N	N	SP	N
Waste hauling establishment	N	N	N	N	N	N	N	SP	N	SP	N
Large-Scale Ground-Mounted Solar Photovoltaic Installations pursuant to ~ 200-7.15	SP	SP	N	N	N	N	N	SP	SP	Y	Y
Renewable/alternative energy R&D facility	N	N	N	N	N	N	N	SP	N	Y	Y
Renewable/alternative energy manufacturing facility	N	N	N	N	N	N	N	N	N	Y	Y
Building-Integrated Solar Energy System pursuant to ~ 200-7.16	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Small-Scale Ground-Mounted Solar Energy System pursuant to ~ 200-7.16	SP	SP	SP	SP	Y	Y	Y	Y	Y	Y	Y
Other Uses											
Conservation area	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Processing of earth authorized for removal under the Town of Greenfield Soil Removal Ordinance	SP	N	N	N	N	N	N	N	N	SP	N
Mixed residential/business uses	N	N	N	SP ¹²	SP ¹²	Y	SP	SP	N	N	N
Private club or membership organization	N	N	N	SP	N	Y	Y	Y	N	N	N

Marijuana dispensary pursuant to ~ 200-7.17	N	N	N	N	SP	SP	SP	SP	N	SP	N
Craft marijuana cooperative pursuant to ~ 200-7.17	SP	N	N	N	N	N	N	SP	N	SP	SP
Marijuana cultivator pursuant to ~ 200-7.17	SP	N	N	N	N	N	N	SP	N	SP	SP
Marijuana retailer pursuant to ~ 200-7.17	N	N	N	N	N	SP	SP	SP	N	N	N
Marijuana independent testing laboratory pursuant to ~ 200-7.17	N	N	N	N	SP	SP	SP	SP	SP	N	SP
Marijuana standards testing laboratory pursuant to ~ 200-7.17	N	N	N	N	SP	SP	SP	SP	SP	N	SP
Marijuana research facility pursuant to ~ 200-7.17	N	N	N	N	SP	SP	SP	SP	SP	N	SP
Marijuana product manufacturer pursuant to ~ 200-7.17	N	N	N	N	N	SP	SP	SP	N	SP	SP
<i>Marijuana courier pursuant to ~ 200-7.17</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>N</i>	<i>SP</i>	<i>SP</i>
<i>Marijuana delivery operator pursuant to ~ 200-7.17</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>N</i>	<i>SP</i>	<i>SP</i>